REMARKS

Claims 1-20 remain pending in the present application and stand finally rejected. Independent claims 1 and 11 are herein amended. No claims have been canceled or added. Applicants respectfully submit that no new matter has been added.

Telephone Conversation With Examiner

Applicants' representative thanks Examiner Zee for the telephone conversation conducted on January 16, 2008. Proposed claim amendments were discussed. Examiner Zee suggested amending the claims to indicate that the protected digital content received by the transmitter from the content provider is encrypted, and to indicate that the receiver is a trusted component of the transmitter. Claims 1 and 11 have been amended accordingly.

Claim Rejections

Examiner has rejected claims 1-10 under 35 U.S.C. § 112, second paragraph for the reason that 'the content provider' in claim 1 lacks proper antecedent basis. Applicants respectfully traverse the Section 112, second paragraph rejection insofar as it may be applied to the claims as amended.

Applicants have amended the claims to provide proper antecedent basis for 'the content provider'. Such proper antecedent basis is in the newly added first clause after the preamble. Additionally, applicants in the newly added first clause have clearly and positively recited that the content provider is separate from the transmitter. Thus, Applicants respectfully request reconsideration and withdrawal of the Section 112, second paragraph rejections.

The Examiner has rejected independent claim 1 and dependent claims 7 and 8 under 35 U.S.C. § 103 as being obvious over Thoma et al. (U.S. Pat. Pub. No. 20020152393). Additionally, the Examiner has employed the Thoma reference in combination with various other references to reject dependent claims 2-6 and 9-20 as being obvious under Section 103.

Applicants respectfully traverse the various Section 103 rejections insofar as they may be applied to the claims as amended.

Independent claim 1 recites a method that is employed in connection with a first computing device ('transmitter') and a second computing device ('receiver') interconnected by a network, where the transmitter transmits protected digital content to the receiver in a manner so that the receiver can access the content. The transmitter receives the content as originally provided by a content provider separate from the transmitter, where the content at the transmitter is encrypted and decryptable according to a content key (KD) to result in (KD(content)). That is to say, the transmitter is not the source of the content, but rather has received the content from elsewhere, and ultimately from the content provider. Typically, the content provider or an agent on behalf of the content provider would issue a digital license to the transmitter to access the content, where the digital license would include (KD) in a protected form accessible by the transmitter.

The receiver sends a session request to the transmitter, where the session request includes an identification of the content to the transmitter, an action to be taken with the content, and a unique identification of the receiver. Upon receiving same, the transmitter determines from the unique identification of the receiver in the session request that the receiver is in fact registered to the transmitter, obtains a digital license corresponding to the identified content in the session request, reviews policy set forth in the license to determine that the license allows the transmitter to provide access to the content to the receiver and also allows the action in the session request, and sends a session response to the receiver. Note here that the obtained digital license may in fact be obtained from the content provider, an agent of the content provider, another entity having rights to issue such a digital license, or the like.

The session response from the transmitter includes the policy from the license, the unique identification of the receiver, and the content key (KD) for decrypting the encrypted content, where (KD) in the session response is protected in a form obtainable by the receiver. Thus, the session response is akin to a digital license issued by the transmitter, and may in fact be a digital license or another digital construct. The receiver receives such a session

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response / 'digital license' from the transmitter and does not receive any license corresponding to the identified content from the content provider of the identified content in response to the session request. That is to say, the 'license' employed by the receiver to access the content is provided by the transmitter and not by the content provider – the receiver looks to the transmitter for such a 'license' and not elsewhere, and may not be capable of looking elsewhere.

The transmitter also sends (KD(content)) to the receiver, and upon receiving the session response and (KD(content)) from the transmitter and not the content provider, the receiver retrieves the policy and the protected content key (KD) for decrypting the encrypted content from the session response, confirms that the policy allows the receiver to render the content, obtains the content key (KD) from the protected form thereof in the session response, applies (KD) to (KD(content)) to reveal the content, and then in fact renders the content in accordance with the policy.

To summarize, as recited in claim 1, a receiver receives protected content from a transmitter and accesses the protected content based on a corresponding 'license'-like session response from the transmitter, where the transmitter itself receives the content from a source that ultimately leads to a content provider that is separate from the transmitter, and also receives a license for the content from elsewhere. Thus, the receiver need only obtain the content and a 'license'-like session response to render the content from the transmitter and not from any other source, including the content provider.

With such an arrangement, then, the receiver and transmitter may be co-located at some location, such as for example a home or a business, and the receiver can be a relatively limited-function or 'dumb' device while the transmitter is a relatively full-function or 'smart' device. For example, the transmitter may be a central content-distributor with external network access in a house while the receiver may be one of several thin-client content renderers without such external network access in the house. In such a case, the transmitter / content-distributor may be receiving a multi-channel audio-video signal from a cable television provider, and for each of several receivers / renderers may tune into a particular channel of the signal at the command of a particular receiver and deliver to the receiver the

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particular channel in an encrypted form, along with a content key for decrypting the particular channel.

The Thoma reference also discloses downloading encrypted content to a receiver such as a terminal device. A content server generates a private symmetric key and encrypts the content with the symmetric key, and a key server looks up the terminal device public key in a key repository and sends the symmetric key encrypted with the public key of the terminal device to the content server. The key server generates a unique license ID and produces an entry in a license repository. The content server sends a response to the terminal device including the content encrypted with the symmetric key. To obtain the symmetric key, the terminal device must send a request to the content server to obtain a license with the symmetric key and register same to the terminal device. Thus, the Thoma reference fails to disclose or even suggest both the content provider and the transmitter as recited in claim 1.

As the Examiner points out, the Thoma reference at paragraphs 67-71 discloses that a license received by one terminal device may be transferred to another terminal device. However, and significantly, such a transferred license cannot be employed by the another terminal device unless and until the another terminal device contacts the content server to un-register the license from the one terminal device and re-register the license to the another terminal server. As a result, the Thoma reference does not teach or even suggest a receiver / terminal device that receives a session response / 'digital license' from a transmitter that is not a content provider and does not receive any license corresponding to the identified content from the content provider of the identified content in response to the session request, as is recited in claim 1. Claim 1 recites a flow from a content provider to a transmitter to a receiver without the receiver going back to the content provider, while the Thoma reference teaches a flow from a content server to one terminal device to another terminal device and then back to the content server. Thus, the Thoma reference points away from and therefore cannot be said to teach the subject matter recited in claim 1.

Moreover, the Thoma reference does not suggest or even appreciate that having such a receiver that looks to a transmitter for content and a corresponding 'license' and not a content provider of the content may be advantageous. In particular, the Thoma reference

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does not suggest or even appreciate that in doing so, the receiver and transmitter may be co-located at some location, such as for example a home or a business, and the receiver can be a relatively limited-function or 'dumb' device while the transmitter is a relatively full-function or 'smart' device. More concretely, the Thoma reference does not suggest or even appreciate that the transmitter may be a central content-distributor with external network access in a house while the receiver may be one of several thin-client content renderers without such external network access in the house, or even that such a transmitter / content-distributor may be receiving a multi-channel audio-video signal from a cable television provider, and for each of several receivers / renderers may tune into a particular channel of the signal at the command of a particular receiver and deliver to the receiver the particular channel in an encrypted form, along with a content key for decrypting the particular channel.

Thus, and for all of the aforementioned reasons, Applicants respectfully submit that the Thoma reference clearly does not make obvious the invention as recited in claim 1 or in any of the claims depending therefrom including claims 7 and 8, and also that the Thoma reference cannot be combined with other references to make obvious the invention recited in dependent claims 2-6 and 9-20. Accordingly, Applicants respectfully request reconsideration and withdrawal of the Section 103 rejections.

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In view of the foregoing Amendment and Remarks, Applicants respectfully submit that the present application including claims 1-20 is in condition for allowance and such action is respectfully requested.

Respectfully submitted,

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